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9 (Agent for Komir, Inc.) and Komir, Inc.

10 UNITED STATES BANKRUPTCY COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 In re Case No. 19-30088 (DM)
14 PG&E CORPORATION, Chapter 11
15 - and - (Lead Case) (Jointly Administered)

16 PACIFIC GAS AND ELECTRIC
17 COMPANY,
18 Debtors.

19 G Affects PG&E Corporation
20 G Affects Pacific Gas and Electric Company
21 O Affects both Debtors

**CLAIMANT'S EVIDENTIARY
OBJECTIONS TO THE
DECLARATION OF MARK GALICIA
FILED IN SUPPORT OF PG&E'S
OPPOSITION TO CLAIMANT'S
SECOND MOTION FOR PARTIAL
SUMMARY ADJUDICATION**

**Date: December 19, 2023
Time: 10:00 a.m.
Place: (Tele/Videoconference
Appearances Only)
United States Bankruptcy Court
Courtroom 17, 16th Floor
San Francisco, CA 94102**

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CLAIMANT'S EVIDENTIARY OBJECTIONS TO THE DECLARATION OF MARK GALICIA

1 Amir Shahmirza, as agent of, and acting on behalf of, Komir, Inc. (“Komir” or
2 “Claimant”), submits below evidentiary objections to the Declaration of Mark Galicia in Support
3 of PG&E’s Memorandum of Points and Authorities in Opposition to Claimant’s Second Motion
4 for Partial Summary Judgment.

5 Claimant submits the following Evidentiary Objections to both the entirety of the
6 substantive portion of the Galicia Declaration and to the specific statements presented below.

7 Claimant makes a general objection of relevancy to the evidence submitted, and
8 specifically states that nearly the entirety of the proffered evidence relates to ostensible undefined
9 “alignment” of the New Transmission Lines that is both without foundation as to meaning or
10 significance of any “alignment” and not relevant to the fact of the changes constituting the basis
11 for Komir’s revocation of consent.

12 With respect to the objection of relevance, the testimony in the Galicia Declaration
13 concerning the general locational direction of the New Transmission Lines does not provide any
14 genuine issue of factual dispute with regard to the total destruction of the Old Transmission
15 Lines, the detachment of all six “circuits” and lines previously attached to those Old
16 Transmission Lines, the relocation of the New Transmission Towers laterally and 15' to 20'
17 closer to the Komir Property, and the attachment of lines to the new towers at new locations at
18 new heights.

<u>Objection</u>	<u>Ground for Objection</u>
1. All portions of the Declaration of Mark Galicia that refer to the “alignment” of transmission lines including paragraph 5, lines 22-26 and paragraph 6, page 2, lines 4-6.	<p>(a) The content of the statements is irrelevant to the issue of whether PG&E holds any prescriptive rights for the exclusive use of the space occupied by the High Voltage Transmission Lines. (Federal Rules of Evidence, Rules 401 and 402)</p> <p>(b) The statements lack foundation as to the meaning or significance of “alignment.” (Federal Rules of Evidence, Rules 401 and 402, also FRE 403 regarding confusion)</p> <p>Sustained: _____</p> <p>Overruled: _____</p>

Respectfully submitted.

Dated: December 1, 2023

COHEN AND JACOBSON, LLP

By: /s/ Lawrence A. Jacobson
Lawrence A. Jacobson